

- UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

6. Defendants deny the allegations contained in paragraph 6 and all sub paragraphs thereof.

7. Defendants admit the allegations contained in paragraph 7.

SUBJECT MATTER JURISDICTION

8. Defendants admit the allegations contained in paragraph 8.

VENUE

9. Defendants admit the allegations contained in paragraph 9.

COLOR OF STATE LAW

10. Defendants admit the allegations contained in paragraph 10.

JURY DEMAND

11. Defendants admit the allegations contained in paragraph 11.

FACTS

12. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 12.

13. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 13.

14. Defendants admit the allegations contained in paragraph 14.

15. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 15.

16. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 16.

17. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 17.

18. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 18.

19. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 19.

20. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 20.

21. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 21 and all sub paragraphs thereof.

22. Defendants deny the allegations contained in paragraph 22.

23. Defendants deny the allegations contained in paragraph 23.

24. Defendants deny the allegations contained in paragraph 24.

25. Defendants deny the allegations contained in paragraph 25.

26. Defendants deny the allegations contained in paragraph 26.

27. Defendants deny the allegations contained in paragraph 27.

28. Defendants deny the allegations contained in paragraph 28.

29. Defendants deny the allegations contained in paragraph 29.

30. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 30.

31. Defendants deny the allegations contained in paragraph 31 and all sub paragraphs thereof.

32. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 32.

33. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 33.

34. Defendants deny the allegations contained in paragraph 34.

35. Defendants deny the allegations contained in paragraph 35.

36. Defendants deny the allegations contained in paragraph 36.

37. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 37.

38. Defendants admit the allegations contained in paragraph 38.

39. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 39.

40. Defendants admit the allegations contained in paragraph 40 and all sub paragraphs thereof.

41. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 41.

42. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 42.

43. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 43.

44. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 44.

45. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 45.

46. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 46.

47. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 47.

48. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 48.

49. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 49.

50. Defendants admit the allegations contained in paragraph 50.

51. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 51.

52. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 52.

53. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 53.

54. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 54.

55. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 55.

56. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 56.

57. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 57.

58. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 58.

59. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 59.

60. Defendants admit the allegations contained in paragraph 60.

61. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 61.

62. Defendants deny the allegations contained in paragraph 62 and all sub paragraphs thereof.

63. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 63.

64. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 64.

65. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 65.

66. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 66 and all sub paragraphs thereof.

67. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 67.

68. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 68 and all sub paragraphs thereof.

69. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 69.

70. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 70 and all sub paragraphs thereof.

71. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 71.

72. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 72.

73. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 73 and all sub paragraphs thereof.

74. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 74.

75. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 75.

76. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 76 and all sub paragraphs thereof.

77. Defendants deny the allegations contained in paragraph 77.

78. Defendants deny the allegations contained in paragraph 78 and all sub paragraphs thereof.

79. Defendants deny the allegations contained in paragraph 79.

80. Defendants admit the allegations contained in paragraph 80.

81. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 81.

82. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 82.

83. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 83.

84. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 84.

85. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 85.

86. Defendants admit the allegations contained in paragraph 86.

87. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 87.

88. Defendants deny the allegations contained in paragraph 86.

89. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 89.

90. Defendants deny the allegations contained in paragraph 90.

91. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 91.

92. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 92.

93. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 93.

94. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 94.

95. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 95 and all sub paragraphs thereof.

96. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 96.

97. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 97.

98. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 98.

99. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 99 and all sub paragraphs thereof.

100. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 100.

101. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 101.

102. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 102.

103. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 103.

104. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 104.

105. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 105.

106. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 106 and all sub paragraphs thereof.

107. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 107.

108. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 108 and all sub paragraphs thereof.

109. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 109.

110. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 110 and all sub paragraphs thereof.

111. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 111.

112. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 112.

113. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 113.

114. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 114.

115. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 115.

116. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 116.

117. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 117.

118. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 118.

119. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 119.

120. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 120.

121. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 121.

122. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 122.

123. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 123.

124. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 124.

125. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 125.

126. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 126.

127. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 127.

128. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 128.

129. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 129.

130. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 130.

131. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 131.

132. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 132.

133. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 133.

134. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 134.

135. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 135.

136. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 136.

137. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 137.

138. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 138.

139. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 139.

140. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 140.

141. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 141.

142. Paragraph 142 contains conclusions of law rather than allegations of fact and defendants are not required to respond to conclusions of law. To the extent the allegations contained in paragraph 142 could be construed to be allegations of fact, defendants deny those allegations.

143. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 143.

144. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 144.

145. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 145.

146. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 146.

147. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 147.

148. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 148.

149. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 149.

150. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 150.

151. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 151.

152. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 152.

153. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 153.

154. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 154.

155. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 155.

156. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 156.

157. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 157.

158. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 158.

159. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 159.

160. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 160 and all sub paragraphs thereof.

161. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 161.

162. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 162.

163. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 163.

164. Defendants deny the allegations contained in paragraph 164.

165. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 165.

166. Defendants deny the allegations contained in paragraph 166.

167. Defendants deny the allegations contained in paragraph 167.

168. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 168.

169. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 169.

170. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 170.

171. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 171.

172. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 172.

173. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 173.

174. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 174.

175. Defendants deny the allegations contained in paragraph 175.

176. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 176 and all sub paragraphs thereof.

177. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 177.

178. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 178.

179. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 179.

180. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 180 and all sub paragraphs thereof.

181. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 181 and all sub paragraphs thereof.

182. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 182.

183. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 183.

184. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 184.

185. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 185 and all sub paragraphs thereof.

186. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 186.

187. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 187.

188. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 188 and all sub paragraphs thereof.

189. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 189.

190. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 190.

191. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 191.

192. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 192.

193. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 193.

194. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 194.

195. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 195.

196. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 196.

197. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 197.

198. The allegations contained in paragraph 198 constitute conclusions of law and are not allegations of fact to which defendants are required to respond. To the extent that any allegations contained in paragraph 198 may be construed to be allegations of fact, those allegations are denied.

199. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 199.

200. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 200.

201. Defendants deny the allegations contained in paragraph 201.

202. Defendants deny the allegations contained in paragraph 202.

203. Defendants deny the allegations contained in paragraph 203.

204. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 204.

205. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 205.

206. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 206.

207. Defendants deny the allegations contained in paragraph 207 and all sub paragraphs thereof.

208. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 208.

209. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 209 and all sub paragraphs thereof.

210. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 210.

211. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 211.

212. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 212.

213. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 213.

214. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 214.

215. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 215 and all sub paragraphs thereof.

216. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 216.

217. Defendants admit the allegations contained in paragraph 217.

218. Defendants admit the allegations contained in paragraph 218.

219. Defendants admit the allegations contained in paragraph 219 and all sub paragraphs thereof, except that defendants deny that defendant McCarrick was defendant Merkel's supervisor.

220. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 220.

221. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 221.

222. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 222.

223. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 223.

224. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 224.

225. Defendants admit the allegations contained in paragraph 225.

226. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 226 and all sub paragraphs thereof.

227. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 227.

228. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 228 and all sub paragraphs thereof.

229. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 229.

230. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 230.

231. The transcript of defendant Merkel's testimony on direct examination is the best evidence of that testimony and accordingly defendants deny the allegations contained in paragraph 231 and all sub paragraphs thereof.

232. The transcript of defendant Merkel's testimony on cross examination is the best evidence of that testimony and accordingly defendants deny the allegations contained in paragraph 232 and all sub paragraphs thereof.

233. Defendants deny the allegation that the quoted paragraph is the "relevant paragraph" of defendant Merkel's report. Defendants further state that defendant Merkel's report is the best evidence of the contents of that report and accordingly defendants deny all other allegations contained in paragraph 233.

234. Defendants admit the allegations contained in paragraph 234.

235. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 235.

236. Defendants state that defendant Merkel's deposition is the best evidence of the testimony contained therein and accordingly defendants deny the allegations contained in paragraph 236 and all sub paragraphs thereof.

237. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 237.

238. Defendants state that defendant Merkel's deposition is the best evidence of the testimony contained therein and accordingly defendants deny the allegations contained in paragraph 238.

239. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 239.

240. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 240.

241. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 241.

242. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 242.

243. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 243.

244. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 244.

245. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 245.

246. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 246.

247. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 247.

248. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 248.

249. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 249.

250. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 250.

251. Defendants deny the allegations contained in paragraph 251.

252. Defendants deny the allegations contained in paragraph 252.

253. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 253 and all sub paragraphs thereof.

254. Defendants deny the allegations contained in paragraph 254.

255. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 255.

256. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 256 and all sub paragraphs thereof.

257. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 257.

258. Defendants deny the allegations contained in paragraph 258, in that the allegations misstate the contents of Rule 22.02(e).

259. Defendants state that the probable cause statement is the best evidence of its contents and therefore deny the allegations contained in paragraph 259.

260. Defendants state that the probable cause statement is the best evidence of its contents and therefore deny the allegations contained in paragraph 260 and all sub paragraphs thereof.

261. Defendants state that the probable cause statement is the best evidence of its contents and therefore deny the allegations contained in paragraph 261.

262. Defendants deny the allegations contained in paragraph 262 and all sub paragraphs thereof.

263. Defendants deny the allegations contained in paragraph 263.

264. Defendants deny the allegations contained in paragraph 264.

265. Defendants deny the allegations contained in paragraph 265.

266. Defendants deny the allegations contained in paragraph 266.

267. Defendants deny the allegations contained in paragraph 267.

268. Defendants deny the allegations contained in paragraph 268.

269. Defendants deny the allegations contained in paragraph 269 because these defendants were not required to provide evidence to plaintiff's criminal defense team and the evidence did not warrant dropping charges and releasing plaintiff.

270. Defendants deny the allegations contained in paragraph 270.

271. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 271.

272. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 272.

273. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 273.

274. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 274.

275. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 275.

276. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 276.

277. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 277.

278. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 278.

279. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 279.

280. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 280.

281. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 281.

282. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 282 and all sub paragraphs thereof.

283. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 283.

284. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 284 and all sub paragraphs thereof.

285. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 285.

286. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 286.

287. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 287 and all sub paragraphs thereof.

288. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 288 and all sub paragraphs thereof.

289. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 289.

290. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 290.

291. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 291.

292. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 292.

293. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 293.

294. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 294.

295. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 295 and all sub paragraphs thereof.

296. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 296 and all sub paragraphs thereof.

297. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 297.

298. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 298.

299. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 299.

300. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 300.

301. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 301 and all sub paragraphs thereof.

302. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 302.

303. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 303.

304. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 304.

305. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 305.

306. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 306.

307. Defendants state that the recording of the interview referenced in paragraph 307 is the best evidence of its contents and defendants accordingly deny the allegations contained in paragraph 307.

308. Defendants state that the recording of the interview referenced in paragraph 308 is the best evidence of its contents and defendants accordingly deny the allegations contained in paragraph 308.

309. Defendants state that the recording of the interview referenced in paragraph 309 is the best evidence of its contents and defendants accordingly deny the allegations contained in paragraph 309.

310. Defendants state that the recording of the interview referenced in paragraph 310 is the best evidence of its contents and defendants accordingly deny the allegations contained in paragraph 310.

311. Defendants state that the recording of the interview referenced in paragraph 311 is the best evidence of its contents and defendants accordingly deny the allegations contained in paragraph 311.

312. The allegation contained in paragraph 312 is an abstract contention regarding “proper law enforcement practices” and not an allegation of fact to which defendants are required to respond.

313. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 313.

314. Defendants deny the allegations contained in paragraph 314.

315. Defendants deny the allegations contained in paragraph 315.

316. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 316 and all sub paragraphs thereof.

317. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 317.

318. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 318.

319. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 319.

320. Defendants deny the allegations contained in paragraph 320.

321. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 321.

322. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 322.

323. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 323 and all sub paragraphs thereof.

324. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 324.

325. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 325.

326. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 326.

327. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 327.

328. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 328.

329. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 329.

330. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 330.

331. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 331 and all sub paragraphs thereof.

332. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 332 and all sub paragraphs thereof.

333. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 333 and all sub paragraphs thereof.

334. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 334 and all sub paragraphs thereof.

335. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 335 and all sub paragraphs thereof.

336. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 336.

337. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 337.

338. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 338.

339. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 339.

340. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 340.

341. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 341.

342. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 342.

343. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 343 and all sub paragraphs thereof.

344. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 344.

345. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 345.

346. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 346.

347. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 347.

348. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 348.

349. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 349.

350. Paragraph 350 contains an assertion of law rather than an allegation of fact as to which defendants are required to respond.

351. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 351.

352. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 352.

353. Defendants deny the allegations contained in paragraph 353.

354. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 354.

355. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 355.

356. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 356.

357. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 357.

358. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 358.

359. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 359.

360. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 360.

361. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 361.

362. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 362.

363. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 363.

364. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 364.

365. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 365.

366. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 366.

367. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 367.

368. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 368.

369. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 369.

370. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 370.

371. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 371.

372. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 372.

373. Paragraph 373 contains an assertion regarding “proper law enforcement practices” to which defendants are not required to respond because the matter in paragraph 373 does not constitute an allegation of fact. To the extent the allegations in paragraph 373 could be construed to contain allegations of fact, those allegations are denied.

374. The best evidence of the contents of the report referenced in paragraph 374 is the report itself and accordingly defendants deny the allegations contained in paragraph 374.

375. The best evidence of the contents of the report referenced in paragraph 375 is the report itself and accordingly defendants deny the allegations contained in paragraph 375.

376. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 376.

377. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 377.

378. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 378.

379. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 379.

380. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 380.

381. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 381.

382. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 382.

383. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 383.

384. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 384.

385. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 385.

386. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 386.

387. The best evidence of the interview referenced in paragraph 387 is the recording thereof and accordingly defendants deny the allegations contained in paragraph 387.

388. The best evidence of the interview referenced in paragraph 388 is the recording thereof and accordingly defendants deny the allegations contained in paragraph 388.

389. The best evidence of the interview referenced in paragraph 389 is the recording thereof and accordingly defendants deny the allegations contained in paragraph 389.

390. The best evidence of the interview referenced in paragraph 390 is the recording thereof and accordingly defendants deny the allegations contained in paragraph 390.

391. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 391 and all sub paragraphs thereof.

392. The best evidence of the interview referenced in paragraph 392 is the recording thereof and accordingly defendants deny the allegations contained in paragraph 392.

393. The best evidence of the interview referenced in paragraph 393 is the recording thereof and accordingly defendants deny the allegations contained in paragraph 393.

394. Defendants deny the allegations contained in paragraph 394 and all sub paragraphs thereof.

395. Defendants deny the allegations contained in paragraph 395.

396. Defendants deny the allegations contained in paragraph 396.

397. Defendants deny the allegations contained in paragraph 397 and all sub paragraphs thereof.

398. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 398.

DAMAGES

399. Defendants deny the allegations contained in paragraph 399 and all sub paragraphs thereof.

PROXIMATE CAUSE

400. Defendants deny the allegations contained in paragraph 400.

RECKLESS DISREGARD-PUNITIVE DAMAGES

401. Defendants deny the allegations contained in paragraph 401 and all sub paragraphs thereof.

402. Defendants deny the allegations contained in paragraph 402.

ATTORNEY FEES AND COSTS--42 USC § 1988

403. Defendants admit the allegations contained in paragraph 403.

404. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 404.

405. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 405.

NO QUALIFIED IMMUNITY

406. Defendants deny the allegations contained in paragraph 406.

407. Defendants deny the allegations contained in paragraph 407.

408. Defendants deny the allegations contained in paragraph 408.

409. Defendants deny the allegations contained in paragraph 409.

410. Defendants deny the allegations contained in paragraph 410.

COUNT I

411. In paragraph 411, plaintiff incorporates by reference all prior paragraphs. Defendants reallege and incorporate by reference their answers to paragraphs 1 through 410 of the amended complaint.

412. Defendants deny the allegations contained in paragraph 412.

413. Defendants deny the allegations contained in paragraph 413.

414. Paragraph 414 contains a conclusion of law as to which defendants are not required to respond.

415. Paragraph 415 contains a conclusion of law as to which defendants are not required to respond.

416. Paragraph 416 contains a conclusion of law as to which defendants are not required to respond.

417. Defendants deny the allegations contained in paragraph 417.

418. Defendants deny the allegations contained in paragraph 418.

419. Defendants deny the allegations contained in paragraph 419.

420. Defendants deny the allegations contained in paragraph 420.

421. Defendants deny the allegations contained in paragraph 421.

422. Defendants deny the allegations contained in paragraph 422 and all sub paragraphs thereof.

423. Defendants deny the allegations contained in paragraph 423.

424. Defendants deny the allegations contained in paragraph 424 and all sub paragraphs thereof.

425. Defendants deny the allegations contained in paragraph 425.

426. Defendants deny the allegations contained in paragraph 426.

427. Defendants deny the allegations contained in paragraph 427.

428. Defendants deny the allegations contained in paragraph 428.

429. Defendants deny the allegations contained in paragraph 429 and all sub paragraphs thereof.

430. Defendants deny the allegations contained in paragraph 430.

431. Defendants deny the allegations contained in paragraph 431 and all sub paragraphs thereof.

DEFENSES

1. The allegations contained in the amended complaint fail to state a claim upon which relief can be granted against defendants McCarrick, Merkel, and Harney.

2. The claims against defendants McCarrick, Merkel, and Harney are barred by the doctrine of qualified immunity, in that whatever conduct, if any, defendants engaged in with reference to plaintiff, was undertaken reasonably and was not in violation of any clearly established rights secured for plaintiff by the Constitution and laws.

3. Pleading hypothetically, defendants state that plaintiff has failed to mitigate whatever damages, if any, plaintiff may have incurred by reason of the matters alleged in the amended complaint.

4. Plaintiff's claim for punitive damages violates the rights of defendants McCarrick, Merkel, and Harney to due process, equal protection of the laws, and freedom from excessive fines secured by the Constitutions of the United States and the State of Missouri.

WHEREFORE, having fully answered Count I of the amended complaint, defendants pray this Court enter judgment in favor of defendants McCarrick, Merkel, and

Harney, award defendants their costs and reasonable attorney fees pursuant to 42 USC § 1988 (b), and grant defendants such further relief as this Court deems proper.

COUNT II

432. In paragraph 432, plaintiff incorporates by reference all prior paragraphs. Defendants reallage and incorporate by reference their answers to paragraphs 1 through 431 of the amended complaint.

433. Defendants admit the allegations contained in paragraph 433.

434. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 434.

435. The probable cause statement is the best evidence of its contents and accordingly defendants deny the allegations contained in paragraph 435.

436. Defendants deny the allegations contained in paragraph 436.

437. Defendants deny the allegations contained in paragraph 437 and all sub paragraphs thereof.

438. Defendants deny the allegations contained in paragraph 438.

439. Defendants deny the allegations contained in paragraph 439.

440. Defendants deny the allegations contained in paragraph 440.

441. Defendants deny the allegations contained in paragraph 441.

442. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 442.

443. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 443.

444. Defendants deny the allegations contained in paragraph 444 and all sub paragraphs thereof.

445. Defendants deny the allegations contained in paragraph 445 and all sub paragraphs thereof.

446. Defendants deny the allegations contained in paragraph 446.

447. Defendants deny the allegations contained in paragraph 447.

448. Defendants deny the allegations contained in paragraph 448.

449. Defendants deny the allegations contained in paragraph 449 and all sub paragraphs thereof.

450. Defendants deny the allegations contained in paragraph 450.

451. Defendants deny the allegations contained in paragraph 451.

452. Defendants deny the allegations contained in paragraph 452.

453. Defendants deny the allegations contained in paragraph 453 and all sub paragraphs thereof.

454. Defendants deny the allegations contained in paragraph 454 and all sub paragraphs thereof.

455. Defendants deny the allegations contained in paragraph 455.

456. Defendants deny the allegations contained in paragraph 456.

457. Defendants deny the allegations contained in paragraph 457.

458. Defendants deny the allegations contained in paragraph 458 and all sub paragraphs thereof.

DEFENSES

1. Defendants reallege and incorporate by reference paragraphs 1, 2, 3, and 4 of the defenses set forth in response to Count I of the amended complaint.

WHEREFORE, having fully answered Count II of the amended complaint, defendants pray this Court enter judgment in favor of defendants McCarrick, Merkel, and Harney, award defendants their costs and reasonable attorney fees pursuant to 42 USC § 1988 (b), and grant defendants such further relief as this Court deems proper.

COUNT III

The allegations and the claim contained in Count III of the amended complaint are asserted against co-defendant Leah Askey and not against defendants McCarrick, Merkel, and Harney. However, because plaintiff incorporates by reference the allegations contained in paragraphs 459 through 479 of Count III in support of his claim in Count IV of the amended complaint, defendants deny the allegations contained in the foregoing paragraphs.

COUNT IV

480. In paragraph 480, plaintiff incorporates by reference all prior paragraphs. Defendants reallege and incorporate by reference their answers to paragraphs 1 through 479 of the amended complaint.

481. Defendants deny the allegations contained in paragraph 481.

482. Defendants deny the allegations contained in paragraph 482.

483. Defendants deny the allegations contained in paragraph 483.

484. Defendants deny the allegations contained in paragraph 484.

485. Defendants deny the allegations contained in paragraph 485 and all sub paragraphs thereof.

486. Defendants deny the allegations contained in paragraph 486.

487. Defendants deny the allegations contained in paragraph 487.

488. Defendants deny the allegations contained in paragraph 488.

489. Defendants deny the allegations contained in paragraph 489.

490. Defendants deny the allegations contained in paragraph 490 and all sub paragraphs thereof.

491. Defendants deny the allegations contained in paragraph 491.

492. Defendants deny the allegations contained in paragraph 492.

493. Defendants deny the allegations contained in paragraph 493.

494. Defendants deny the allegations contained in paragraph 494.

495. Defendants deny the allegations contained in paragraph 495.

496. Defendants deny the allegations contained in paragraph 496.

497. Defendants deny the allegations contained in paragraph 497.

498. Defendants deny the allegations contained in paragraph 498.

499. Defendants deny the allegations contained in paragraph 499.

500. Defendants deny the allegations contained in paragraph 500 and all sub paragraphs thereof.

501. Defendants deny the allegations contained in paragraph 501.

502. Defendants deny the allegations contained in paragraph 502 and all sub paragraphs thereof.

503. Defendants deny the allegations contained in paragraph 503.

504. Defendants deny the allegations contained in paragraph 504.

505. Defendants deny the allegations contained in paragraph 505.

506. Defendants deny the allegations contained in paragraph 506.

507. Defendants deny the allegations contained in paragraph 507.

508. Defendants deny the allegations contained in paragraph 508.

509. Defendants deny the allegations contained in paragraph 509.

510. Defendants deny the allegations contained in paragraph 510.

511. Defendants deny the allegations contained in paragraph 511.

512. Defendants deny the allegations contained in paragraph 512.

513. Defendants deny the allegations contained in paragraph 513.

514. Defendants deny the allegations contained in paragraph 514 and all sub paragraphs thereof.

DEFENSES

1. Defendants reallege and incorporate by reference paragraphs 1, 2, 3, and 4 of the defenses set forth in response to Count I of the amended complaint.

WHEREFORE, having fully answered Count IV of the amended complaint, defendants pray this Court enter judgment in favor of defendants McCarrick, Merkel, and Harney, award defendants their costs and reasonable attorney fees pursuant to 42 USC § 1988 (b), and grant defendants such further relief as this Court deems proper.

COUNT V

Defendants make no response to Count V of the amended complaint in that this Court has held in abeyance a ruling on defendants' motion to dismiss Count V for failure to state a claim upon which relief can be granted.

COUNT VI

Defendants make no response to Count VI of the amended complaint in that the allegations and claim contained therein are asserted against co-defendant Lincoln County through co-defendant Leah Askey in her official capacity.

FOOTNOTES

The amended complaint contains 48 footnotes. Those 48 footnotes do not assert allegations of fact to which defendants are required to respond. Instead, the foregoing footnotes simply contain case citations or, in some of the footnotes, abstract statements of law to which defendants are not required to respond. Accordingly, defendants make no response to footnotes 1 through 48 of the amended complaint.

Respectfully submitted,

KING, KREHBIEL & HELLMICH, LLC

By: /s/ Robert J. Krehbiel

ROBERT J. KREHBIEL #28616MO

2000 South Hanley Road

St. Louis, MO 63144-1524

Phone: (314) 646-1110

FAX: (314) 646-1122

E-Mail: rkrehbiel@kkhbb.com

*Attorneys for Defendants McCarrick, Merkel, and
Harney*

CERTIFICATE OF SERVICE

I hereby certify that on January 17, 2017 a true and accurate copy of the foregoing was filed electronically using the Court's e-filing system, which sent notification of the filing to: All Counsel of Record.

/s/ Robert J. Krehbiel